

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ZF STEERING SYSTEMS, LLC,

Plaintiff,

v.

Case No. 13-10101

GENERAL ALUMINUM MFG. CO.,

HON. TERRENCE G. BERG

HON. LAURIE J. MICHELSON

Defendant.

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**ORDER GRANTING DEFENDANT'S
MOTION TO STAY PROCEEDINGS**

This matter is before the Court on Defendant General Aluminum Manufacturing Company's (GAMCO) Motion to Transfer Venue or, in the Alternative, to Stay (Dkt. 7). The parties have fully briefed the motion, and oral argument was heard on April 24, 2013.

The Court finds that this matter should be stayed pending determination of whether GAMCO is still properly a party to the related proceedings before the District Court for the Northern District of Indiana. This Court will rule on GAMCO's motion to transfer only after the Northern District of Indiana has ruled on certain pending motions before that Court, specifically ZF Steering Systems's "Objection and Motion to Strike or Dismiss Busche's 'Complaint' or, in the Alternative, Motion to Transfer Venue of the Busche 'Complaint'" (N.D. Ind. Dkt. 32) and its "Objection and Motion to Strike or Dismiss 'Answer' and 'Crossclaim' Filed by General Aluminum Mfg. Company or, in the Alternative, Motion to Transfer Venue" (N.D. Ind. Dkt. 47), and related filings.

As GAMCO's motion to transfer provided only one reason in support of the transfer, that the related Indiana case was filed first and pending, if the District Court for the Northern District of Indiana finds that GAMCO was not properly a party to that case at the time this case was filed, GAMCO's motion to transfer would appear not to be well taken. Conversely, if the District Court for the Northern District of Indiana finds that GAMCO was still properly a party to that case at the time this case was filed, it would then appear that GAMCO's motion to transfer should be granted.

Therefore, it is ORDERED that GAMCO's Motion to Stay is GRANTED and this action is hereby STAYED until the District Court for the Northern District of Indiana determines whether GAMCO was properly a party before that Court at the time this case was filed. It is FURTHER ORDERED that each party to this matter shall keep this Court apprised of any relevant rulings issued by the District Court for the Northern District of Indiana.

s/Terrence G. Berg
TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE

Dated: April 30, 2013

Certificate of Service

I hereby certify that this Order was electronically submitted on April 30, 2013, using the CM/ECF system, which will send notification to each party.

By: s/A. Chubb
Case Manager